

SAND 3.0-003/PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

In re patent application of
Sanders, Ira

Group Art Unit: 1645
Examiner Duffy, PD

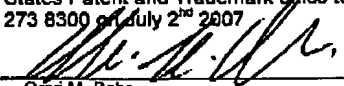
JUL 02 2007

Serial No. 10/535 504
Filed: 05/18/2005

For: Treatment of mammalian
physiological reaction of IgE antibodies
present in said mammal on contact
with the corresponding antigen

X

Mail Stop NON Fee Amendments
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

<p>Certificate of Transmission under 37 CFR 1.8</p> <p>I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to (571) 273 8300 on July 2nd 2007</p> <p> Omri M. Behr (Signature) (Date) July 2, 2007</p>
--

Response to restriction requirement

Sir,

This is in response to the Official Action dated May 8th 2007, now due by virtue of a petition for extension of time of one month on July 9th 2007, the fee therefore being authorized herewith.

Applicant respectfully traverses the restriction requirement. Neither of the references cited appear to mention IgE. Applicant is a named inventor/coauthor in both documents and is hardly likely to lay claim to subject matter he published over a decade ago.

Nevertheless in compliance with the rule Applicant elects Group I namely claims 1-20.

Applicant further traverses the designation of non unity of invention. While the sources of the neurotoxins are different species and the physiological reactions are technically differentiable, they are linked by the common concept relating to IgE.

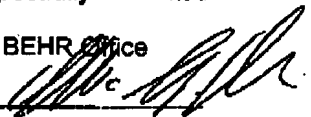
Nevertheless in compliance with the rule Applicant elects C.botulinum (claims 3 and 4) as representative of Species A, and allergic dermatitis (Claims 15 and 22) as representative of Species B.

Thus the members of Species A and B are not to be considered patentably distinct in the circumstance of the present application.

Withdrawal of the restriction and election requirements is respectfully solicited and the present claims promptly passed to issue.

Respectfully submitted

The BEHR Office

By 
Omri M. Behr Ph.D. July 2nd 2007
Reg. 22, 940

325 Pierson Ave
Edison NJ

T: 732 803 6006
FX: 732 494 6258
E mail : bepat@prodigy.net